



LAWS8030

The Law of Obligations I - Contracts

Session 2, Special circumstance 2020

Macquarie Law School

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Notice

As part of [Phase 3 of our return to campus plan](#), most units will now run tutorials, seminars and other small group learning activities on campus for the second half-year, while keeping an online version available for those students unable to return or those who choose to continue their studies online.

To check the availability of face-to-face and online activities for your unit, please go to [timetable viewer](#). To check detailed information on unit assessments visit your unit's iLearn space or consult your unit convenor.

General Information

Unit convenor and teaching staff
Convenor, Lecturer, Tutor
Ilija Vickovich
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6 First Walk, Room 624
TBA

Credit points
10

Prerequisites
Admission to GradCertLaw or GradDipLaw or Admission to JD

Corequisites
LAWS600 or LAWS8001

Co-badged status

Unit description
A study of the law of contract is fundamental for any law student. In this unit students will study the foundational elements of contract law such as the formation of contract, the characterisation and interpretation of contractual terms, factors which vitiate the formation of a valid contract, the requirement for consideration, privity of contract and the discharge of contractual liabilities. Greater depth of understanding of significant issues in the historical and contemporary development of contract law is achieved through the examination and critique of competing philosophies of contract and international comparisons. Problem solving skills are also developed and tested through hypothetical problem questions. Research skills are tested with a research assignment.

Important Academic Dates

Information about important academic dates including deadlines for withdrawing from units are available at <https://www.mq.edu.au/study/calendar-of-dates>

Learning Outcomes

On successful completion of this unit, you will be able to:

ULO1: Demonstrate a detailed and thorough knowledge of legal principles relating to contract law.

ULO2: Interpret and transmit knowledge, skills and concepts of contract law to specialist and non-specialist audiences.

ULO3: Analyse complex factual situations involving contract law and apply relevant legal principles to solving legal problems.

ULO4: Research, formulate, present and evaluate oral and written arguments on complex contract law problems and principles, drawing upon relevant legal authority and policy considerations.

Assessment Tasks

Name	Weighting	Hurdle	Due
Multiple Choice Quizzes	20%	No	22-23 Aug AND 3-4 Oct
Foundations of Contract Law essay	30%	No	Mon 7 Sep
Online quiz	10%	No	31 Oct - 1 Nov
Take Home Online Assessment	40%	No	Sat 21 Nov

Multiple Choice Quizzes

Assessment Type ¹: Quiz/Test

Indicative Time on Task ²: 2 hours

Due: **22-23 Aug AND 3-4 Oct**

Weighting: **20%**

2 short multiple choice quizzes will cover the foundations of contract law

On successful completion you will be able to:

- Demonstrate a detailed and thorough knowledge of legal principles relating to contract law.
- Analyse complex factual situations involving contract law and apply relevant legal principles to solving legal problems.

Foundations of Contract Law essay

Assessment Type ¹: Essay

Indicative Time on Task ²: 35 hours

Due: **Mon 7 Sep**

Weighting: **30%**

The essay may take the form of a problem question or a question on the underlying principles of contract law

On successful completion you will be able to:

- Demonstrate a detailed and thorough knowledge of legal principles relating to contract law.
- Interpret and transmit knowledge, skills and concepts of contract law to specialist and non-specialist audiences.

Online quiz

Assessment Type ¹: Quiz/Test

Indicative Time on Task ²: 1 hours

Due: **31 Oct - 1 Nov**

Weighting: **10%**

An online multiple choice quiz

On successful completion you will be able to:

- Demonstrate a detailed and thorough knowledge of legal principles relating to contract law.
- Interpret and transmit knowledge, skills and concepts of contract law to specialist and non-specialist audiences.
- Analyse complex factual situations involving contract law and apply relevant legal principles to solving legal problems.

Take Home Online Assessment

Assessment Type ¹: Quiz/Test

Indicative Time on Task ²: 55 hours

Due: **Sat 21 Nov**

Weighting: **40%**

Take Home Online Assessment comprised of problem-based questions

On successful completion you will be able to:

- Demonstrate a detailed and thorough knowledge of legal principles relating to contract law.
- Interpret and transmit knowledge, skills and concepts of contract law to specialist and non-specialist audiences.
- Analyse complex factual situations involving contract law and apply relevant legal principles to solving legal problems.
- Research, formulate, present and evaluate oral and written arguments on complex contract law problems and principles, drawing upon relevant legal authority and policy considerations.

¹ If you need help with your assignment, please contact:

- the academic teaching staff in your unit for guidance in understanding or completing this type of assessment
- the [Writing Centre](#) for academic skills support.

² Indicative time-on-task is an estimate of the time required for completion of the assessment task and is subject to individual variation

Delivery and Resources

RESOURCES

Prescribed Materials

1. P Radan, J Gooley, & I Vickovich, *Principles of Australian Contract Law*, 4th ed, LexisNexis, 2018
2. P Radan, J Gooley, & I Vickovich, *Principles of Australian Contract Law, Cases & Materials*, 4th ed, LexisNexis, 2018

Unit Schedule

UNIT SCHEDULE

Session 2, 2020

Week	Week Commencing	Lecture Topic	Tutorial Topic

1	27 Jul	Introduction to Contracts; Overview of Contract Remedies	Legal Problem Solving Model
2	3 Aug	Agreement – Offer and Acceptance	Introduction to Contracts; Overview of Contract Remedies
3	10 Aug	Consideration; Equitable Estoppel; Intention	Agreement – Offer and Acceptance
4	17 Aug	Certainty and Completeness; Capacity; Requirement of Writing	Consideration; Equitable Estoppel; Intention
5	24 Aug	Express Terms	Certainty and Completeness; Capacity; Requirement of Writing
6	31 Aug	Implied Terms; Construction of Terms; Exclusion Clauses	Express Terms
7	7 Sep	Misrepresentation; Misleading or Deceptive Conduct; Mistake	Implied Terms; Construction of Terms; Exclusion Clauses
Mid-Semester Break			
8	28 Sep	Duress; Undue Influence; Unconscionability	Misrepresentation; Misleading or Deceptive Conduct; Mistake
9	5 Oct	Discharge by Agreement; Discharge by Performance	Duress; Undue Influence; Unconscionability
10	12 Oct	Discharge by Breach; Discharge by Frustration	Discharge by Agreement; Discharge by Performance
11	19 Oct	Illegality	Discharge by Breach; Discharge by Frustration
12	26 Oct	Privity of Contract; Contract Theory	Illegality

13	2 Nov	Contracts in Context; Exam Preparation	Privity of Contract
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Policies and Procedures

Macquarie University policies and procedures are accessible from [Policy Central](https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central) (<https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central>). Students should be aware of the following policies in particular with regard to Learning and Teaching:

- [Academic Appeals Policy](#)
- [Academic Integrity Policy](#)
- [Academic Progression Policy](#)
- [Assessment Policy](#)
- [Fitness to Practice Procedure](#)
- [Grade Appeal Policy](#)
- [Complaint Management Procedure for Students and Members of the Public](#)
- [Special Consideration Policy](#) (**Note:** *The Special Consideration Policy is effective from 4 December 2017 and replaces the Disruption to Studies Policy.*)

Students seeking more policy resources can visit the [Student Policy Gateway](https://students.mq.edu.au/support/study/student-policy-gateway) (<https://students.mq.edu.au/support/study/student-policy-gateway>). It is your one-stop-shop for the key policies you need to know about throughout your undergraduate student journey.

If you would like to see all the policies relevant to Learning and Teaching visit [Policy Central](https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central) (<https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central>).

Student Code of Conduct

Macquarie University students have a responsibility to be familiar with the Student Code of Conduct: <https://students.mq.edu.au/study/getting-started/student-conduct>

Results

Results published on platform other than [eStudent](#), (eg. iLearn, Coursera etc.) or released directly by your Unit Convenor, are not confirmed as they are subject to final approval by the University. Once approved, final results will be sent to your student email address and will be made available in [eStudent](#). For more information visit ask.mq.edu.au or if you are a Global MBA student contact globalmba.support@mq.edu.au

Student Support

Macquarie University provides a range of support services for students. For details, visit <http://stu>

dents.mq.edu.au/support/

Learning Skills

Learning Skills (mq.edu.au/learningskills) provides academic writing resources and study strategies to help you improve your marks and take control of your study.

- [Getting help with your assignment](#)
- [Workshops](#)
- [StudyWise](#)
- [Academic Integrity Module](#)

The Library provides online and face to face support to help you find and use relevant information resources.

- [Subject and Research Guides](#)
- [Ask a Librarian](#)

Student Services and Support

Students with a disability are encouraged to contact the [Disability Service](#) who can provide appropriate help with any issues that arise during their studies.

Student Enquiries

For all student enquiries, visit Student Connect at ask.mq.edu.au

If you are a Global MBA student contact globalmba.support@mq.edu.au

IT Help

For help with University computer systems and technology, visit http://www.mq.edu.au/about_us/offices_and_units/information_technology/help/.

When using the University's IT, you must adhere to the [Acceptable Use of IT Resources Policy](#). The policy applies to all who connect to the MQ network including students.